

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARY ELLEN TOOHEY,
individually and on behalf of all other similarly
situated,

Case No. 15-CV-8098 (GBD)

NOTICE OF MOTION

Plaintiff,

-against-

PORTFOLIO RECOVERY ASSOCIATES, LLC,
PRA GROUP, INC., MALEN & ASSOCIATES, P.C.

Defendants.
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PLEASE TAKE NOTICE that upon the annexed Declaration of Brett A. Scher, dated December 23, 2015, the exhibits attached thereto, the accompanying Memorandum of Law and upon all the pleadings and proceedings had herein, Defendant Malen & Associates, P.C. (the "Malen Firm") will move this Court, before the Honorable George B. Daniels, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, NY 10007, for an Order, pursuant to Rule 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing Plaintiff Mary Ellen Toohey's Complaint as against the Malen Firm, with prejudice, and granting such other and further relief as the Court deems just and proper.

Dated: Woodbury, New York
December 23, 2015

KAUFMAN DOLOWICH & VOLUCK, LLP

By: 

Brett A. Scher, Esq.
Adam M. Marshall, Esq.
Attorneys for Defendant
Malen & Associates, P.C.
135 Crossway Park Drive, Suite 201
Woodbury, New York 11797
(516) 681-1100
bscher@kdvlaw.com
amarshall@kdvlaw.com

To: All Counsel of Record via ECF

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